



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/064,467 | 07/17/2002 | Shih-Chin Tseng | IACP0006USA | 5820 |
| 27765 | 7590 | 05/22/2006 | EXAMINER | |
| NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116 | | | DUONG, FRANK | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2616 | |

DATE MAILED: 05/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/064,467

Applicant(s)

TSENG ET AL.

Examiner

Frank Duong

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-8 and 10 is/are rejected.
- 7) ☒ Claim(s) 4 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is a response to communications dated 07/17/02. Claims 1-10 are pending in the application.

Specification

2. The disclosure is objected to because of the following informalities:

- a) Page 10, "Figures" should be deleted.
- b) The specification fails to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: There is no description for the claimed limitation of "*a plurality of output ports for connecting the access point to the wired LAN*" as recited in claim 8.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 8 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

There is no support for the claimed limitations of "*a plurality of output ports for connecting the access point to the wired LAN*". In accordance with the specification, on page 4, in reference to FIG. 2, it is disclosed access point comprising, among other things, a transmission port 20 for connecting to a wired local area networks. From the disclosed feature, the claimed limitation of "*a plurality of output ports for connecting the access point to the wired LAN*" cannot unambiguously derive to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 5-8 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Tomino et al (USP 6,475,022) (hereinafter "Tomino").

Regarding **claim 1**, in accordance with Tomino reference entirety, Tomino shows an access point (Fig. 4) for connecting a computer with a wireless network (*col. 1, lines 6-9*), the access point (Fig. 4) comprising:

a housing (100) having a first sliding slot (*Fig. 4; inside portion of housing 100 for sliding elements 201&204 into housing 100*) formed on an upper side of the housing (*see Fig. 4 for structure details*), the first sliding slot (*Fig. 4; 112 or 113*) having at least one opening for hanging the housing on hooks positioned on a wall (*col. 4, lines 13-15*); and

a first sliding plate (*Fig. 4; 200&204*) detachably installed in the first sliding slot (*col. 4, lines 22-26*).

Regarding **claim 2**, in addition to features recited in base claim 1 (see rationales discussed above), Tomino further discloses wherein the first sliding plate comprises two protruding portions formed on a front surface of the first sliding plate, and when the first sliding plate slides into the first sliding slot, the housing is capable of being placed on a flat surface using the first sliding plate (*see Fig. 4 and descriptions of elements 200, 201 and 202 for corresponding limitations discussed at col. 3, lines 39-43 and thereafter*)

Regarding **claim 3**, in addition to features recited in base claim 2 (see rationales discussed above), Tomino further discloses wherein the housing further comprises a concave slot formed on a rear side of the housing for engaging with the two protruding portions, and after the two protruding portions are inserted into the concave slot, the access point is capable of positioning vertically on the flat surface through the first sliding plate (*col. 4, lines 4-7*).

Regarding **claim 5**, in addition to features recited in base claim 1 (see rationales discussed above), Tomino further discloses an antenna installed on a front side of the

housing for transmitting and receiving wireless signals (*antenna 300a or 300b depicted in Fig. 4*).

Regarding **claim 6**, in addition to features recited in base claim 1 (see rationales discussed above), Tomino further discloses the access point being used to connect a wired local area network (LAN) to a wireless local area network (*col. 3, lines 15-18 and thereafter*).

Regarding **claim 7**, in addition to features recited in base claim 6 (see rationales discussed above), Tomino further discloses a wireless LAN card for connecting the access point to the wireless LAN (*wireless LAN card not depicted in the drawings; however, it is inherent there is a wireless LAN card in a wireless LAN access point. Fig. 5 depicts circuit board 401 connected to antennas 103a and 103b. These elements can equate to correspond wireless LAN card*).

Regarding **claim 8**, in addition to features recited in base claim 7 (see rationales discussed above), Tomino further discloses an output port for connecting the access point to the wired LAN (*note: an output port as disclosed in the specification and discussed in the 112, first paragraph rejection above is considered, not a plurality of output ports*) (*LAN port 106 and LAN cable 203 for connecting the access point to a wired LAN are depicted in Fig. 4*).

Regarding **claim 10**, in addition to features recited in base claim 1 (see rationales discussed above), Tomino further discloses a side-foot installed on a side of the housing for allowing the access point to be positioned vertically

on the side (see Fig. 4; element 201 considered to corresponding to claimed limitation for position the access point vertically).

Allowable Subject Matter

5. Claims 4 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record, considered individually or in combination, fails to fairly show or suggest the claimed access point of base claim 1 and further limit with novel and unobvious limitation of *"wherein the first sliding plate comprises a plurality of feet installed on an inner side of the first sliding plate, and after the first sliding plate slides out from the sliding slot, the feet are capable of spreading out so as to increase a contact area between the first sliding plate and the flat surface while the access point is positioned vertically on the flat surface"*, as recited in the dependent claim 4 and *"a second sliding plate detachably installed on a second sliding slot positioned on a lower side of the housing wherein the second sliding plate has two protruding portions formed on a surface of the second sliding plate, and after the second sliding plate sliding into the second sliding slot, the housing is capable of being placed on the flat surface using the second sliding plate"*, as recited in the dependent claim 9.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Remmert (USP 6,735,450).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frank Duong whose telephone number is 571-272-3164. The examiner can normally be reached on 7:00AM-3:30PM, Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**FRANK DUONG
PRIMARY EXAMINER**

May 15, 2006